

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Martin Edward Lewis,)	Case No: 13-cv-2604
)	
Plaintiff,)	Judge: Durkin
)	Mag. Judge: Rowland
v.)	
)	
Jody Weis, and Garry F. McCarthy,)	
in their capacity as Superintendent of)	
Police, Chicago Police Department,)	
City of Chicago, Illinois, an Illinois)	
municipal corporation,)	
)	
Defendants.)	

ADDENDUM TO THE CITY OF CHICAGO’S PARTIAL MOTION TO DISMISS

On August 1, 2013, the City of Chicago filed a motion to dismiss. (Dkt. 15). This motion was styled as a “partial” motion to dismiss because, while the City seeks dismissal of both of Plaintiff’s federal claims, counsel mistakenly believed that Plaintiff was also asserting a state-law malicious prosecution claim. However, on further review, it is clear that Plaintiff has not stated, or attempted to state, a state-law malicious prosecution claim. (*See generally* Compl.) Accordingly, the City cannot answer any such claim because it does not exist.

Thus, the purpose of this Addendum is to inform the Court that there is no claim for state-law malicious prosecution, and to request that Plaintiff’s Complaint be dismissed in its entirety for the reasons stated in the City’s Motion to Dismiss. (Dkt. 15).

Dated: August 2, 2013

Respectfully submitted,

/s/ Daniel Nixa

Daniel Nixa

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CERTIFICATE OF SERVICE

I hereby certify that on August 2, 2013, I electronically filed the foregoing **Addendum to the City of Chicago's Motion to Dismiss on Behalf of the City of Chicago** on all counsel of record using the CM/ECF system, and to Plaintiff (pro se) at the following address by depositing the same in the U.S. Mail box at 30 N. LaSalle, Chicago, IL 60602, postage prepaid to the following address:

Martin Edward Lewis
7821 South Rhodes Avenue
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/s/Daniel Nixa